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Commissioner for Patents
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Group Art Unit 1731

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Date: December 16, 2004 **Fax:** 607-974-3848

Re: US Application No. 10/686,862
filed 10/16/2003 **Total Pages:** 9 including cover



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Please find to follow cover:

8 pages of Response to a Non-Compliant Amendment dated 13/13/2004.

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PATENT
CASE NAME/No.: SP00-307A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Adam J. Ellison, et al.

Serial No: 10/686,862

Filing Date: 10/16/2003

Title: DISPERSAL OF OPTICALLY ACTIVE
IONS IN GLASS

Art Group Unit: 1731

Examiner: John M. Hoffmann

RESPONSE TO A
NON-COMPLIANT AMENDMENT
AND RESTRICTION REQUIREMENT

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Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT

In the Office Action dated November 26, 2004, designated as Paper No. 41123 in the above-captioned application, the Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

- Group I. Claims 1 - 21, drawn to a method of making glass, classified in class 65, subclass 17.2;
- Group II. Claims 22 - 23, drawn to a method of making fibers, classified in class 65, subclass 390;
- Group III. Claims 24 - 25 and 28 - 42, drawn to an optical fiber, classified in class 385, subclass 123;
- Group IV. Claim 26, drawn to a method of coating particles (making a composition), classified in class 427, subclass 212; and
- Group V. Claim 27, drawn to a coated-particle composition, classified in class 501, subclass 37.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another. Therefore, the undersigned attorney of record, makes a provisional election to Group II, claims 22 and 23 with traverse. Because the selected claims 22-23 were not mentioned by the Examiner as having any Markush groups with any species, the Applicant can not elect a single disclosed species for claims 22 and 23.